

REMARKS

The examiner has requested election of a species for search and examination purposes, and applicants have elected the species indicated in the newly submitted claim 16. This election of species is made with traverse. Applicants are of the understanding that all claims will be searched and examined, as the examiner has indicated that "[u]pon the allowance of a generic claim, applicant[s] will be entitled to consideration of claims to additional species," and as no election of *claims*, per se, has been required (office action, page 2). Applicants are of the opinion that all current claims are patentable, including the newly submitted claim.

The compounds (a), (b) and (c) of claim 16 are found in the specification, respectively, at page 5, lines 18 and 22, page 5, line 44, and page 8, line 37. Titanium dioxide and zinc oxide are given in claim 8 and also in the specification at page 10, lines 30-31. This new claim does not, therefore, introduce any new matter.

Amendments have also been made to claims 1, 2, 13 and 14. These amendments are for clarity and to render the claims 13 and 14 proper for US prosecution. Applicants are also of the opinion that no new matter has been introduced by amendment of these claims.

Applicants respectfully solicit passage of the application to issue.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit

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any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read 'David C. Liechty', with a long horizontal flourish extending to the right.

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

Amend claims 1, 2, 13 and 14 as follows:

1. (amended)      A mixture comprising
  - A)    at least one copolymer obtained [obtainable] by
    - (i)    free-radically initiated solution polymerization of a monomer mixture of
      - (a)    0.01 to 99.99% by weight of at least one monomer chosen from the group consisting of N-vinylimidazoles and diallylamines, optionally in partially or completely quaternized form;
      - (b)    0.01 to 99.99% by weight of at least one neutral or basic water-soluble monomer which is different from (a);
      - (c)    0 to 50% by weight of at least one unsaturated acid or an unsaturated anhydride;
      - (d)    0 to 50% by weight of at least one free-radically copolymerizable monomer which is different from (a), (b) and (c); and
      - (e)    0 to 10% by weight of at least one monomer having at least two ethylenically unsaturated nonconjugated double bonds which acts as crosslinker, and
    - (ii)    subsequent partial or complete quaternization or protonation of the polymer where the monomer (a) is not quaternized or only partially quaternized

and

B) at least one inorganic UV filter.

2. (amended) A mixture as claimed in claim 1, wherein the copolymer A) is obtained [obtainable] by solution polymerization in water.

13. (twice amended) A process [The use of a mixture defined as in claims 1] for the preparation of cosmetic and dermatological preparations wherein a mixture defined as in claim 1 is prepared, optionally mixed with other compounds and applied to the human skin or the human hair.

14. (twice amended) The process [use] as claimed in claim 13 [as photostable UV filter in] for producing cosmetic and dermatological preparations for protecting the human skin or human hair against solar rays, wherein the mixture is prepared, optionally mixed with compounds which absorb in the UV region and which are known per se for cosmetic and pharmaceutical preparations, and is then applied to the human skin or human hair.

New claim 16 has been added and reads as follows:

16. (newly added) A mixture comprising

- A) at least one copolymer obtained by
- (I) free-radically initiated solution polymerization of a monomer mixture of
    - (a) 10 to 70% by weight of 3-methyl-1-vinylimidazolium methosulfate,
    - (b) 20 to 89.95% by weight of N-vinylpyrrolidone,
    - (c) 0.05 to 5% by weight of N,N'-divinylethylenurea
  - (ii) subsequent partial or complete quaternization or protonation of the polymer where the monomer (a) is not quaternized or only partially quaternized
- and
- B) 30 to 90% by weight, based on the solids content of the mixture, of at least one hydrophobicized metal oxide chosen from the group consisting of titanium dioxide and zinc oxide.